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7 Attorneys for Defendant  
SCHLOMO SCHMUEL  
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11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 \* \* \*

14 DWIGHT PATENT 10945 MINING LLC,

CASE NO. 2:19-cv-01357-JAD-NJK

15 Plaintiff,

16 vs. ECF Nos. 11, 12, 13, 35

17 HML INVESTMENTS, LOUIS  
MONTELEONE; SCHLOMO SCHMUEL;  
18 CITY OF NORTH LAS VEGAS; THE  
UNITED STATES OF AMERICA, OR A  
19 SUBDIVISION THEREOF,

20 Defendants.

21 **AMENDED**

22 **STIPULATION AND ORDER TO DISMISS PLAINTIFF'S CLAIMS AGAINST**  
23 **SCHLOMO SCHMUEL WITH PREJUDICE**

24 WHEREAS, on or about August 6, 2019, Plaintiff Dwight Patent filed the instant action  
25 naming Schmuel as a co-Defendant (the "Dwight Patent Lawsuit"). This Complaint requested  
26 quiet title and declaratory relief in Dwight Patent's favor wherein Dwight Patent alleged a superior  
27 interest to Schmuel's interest for the subsurface mineral rights on the property located at 1740  
28 Hardrock Street, Las Vegas, Nevada, APN: 140-23-810-006 (the "Property"). Dwight Patent

1 recorded two Notices of Lis Pendens against the Property in the Official Records of Clark County,  
2 as Instrument Nos. 20190809-0001263 and 20190813-0001777. At the time of this Agreement,  
3 the parties have come to a mutual resolution wherein Defendant Schmuel agrees to pay \$17,500.00  
4 in return for a dismissal with prejudice of the instant action. Therefore,

5 IT IS HEREBY STIPULATED by and between Plaintiff, Dwight Patent 10945 Mining,  
6 LLC and Defendant, Schlomo Schmuel (collectively, the "Parties"), through their undersigned  
7 counsel, that Plaintiff's claims against Defendant, Schlomo Schmuel are immediately dismissed  
8 with prejudice.

9 IT IS FURTHER STIPULATED that each party will bear his/its own attorneys' fees and  
10 costs associated with this matter.

11 Dated this 3<sup>rd</sup> day of January 2020.

12 CALLISTER & ASSOCIATES

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14 MITCHELL S. BISSON, ESQ.  
Nevada Bar No. 11920  
330 E Charleston Blvd, Ste 100  
Las Vegas, Nevada 89104  
Co-Counsel for Plaintiff,  
DWIGHT PATENT 10945 MINING LLC

15 Dated this 3 day of January, 2020.

16 KOLESAR & LEATHAM

17   
18 MICHAEL R. BROOKS, ESQ.  
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19 Attorneys for Defendant  
20 SCHLOMO SCHMUEL

21 AMENDED ORDER

22 Based on the stipulation between plaintiff and defendant Schlomo Schmuel [ECF No. 35],  
23 which I construe as a joint motion under Local Rule 7-1(c) because it was signed by fewer than all  
24 the parties or their attorneys, and with good cause appearing, IT IS HEREBY ORDERED that  
25 **ALL CLAIMS AGAINST DEFENDANT SCHLOMO SCHMUEL are DISMISSED with  
prejudice**, each side to bear its own fees and costs. All pending motions [ECF Nos. 11, 12, 13]  
are DENIED as moot.

26 Plaintiff has until February 3, 2020, to file a status report advising the court how it  
27 will proceed with the remaining claims.

28   
U.S. District Judge Jennifer A. Dorsey  
Dated: January 21, 2020